

Working with Landowners

Chapter 5



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Landowner Contacts

1. **General:** Finding new places to host youth hunts is a key part of the overall Outreach Program. As a Huntmaster, you should pursue opportunities when possible to create new opportunities for the program. Our effort is to have each Huntmaster develop his own hunt and his own team to run the hunt. In this way we can expand the program across the state and make it large enough to make a significant difference in the number of new hunters we contact each year. We understand that making landowner contacts is difficult, but it is necessary if you are to become successful as a Huntmaster.

2. **Finding Places:** Colorado has a large amount of public and private land. Many landowners are interested in supporting structured youth and novice hunting activities. We just need to ask and explain our program. When looking for new places to coordinate a hunt:
 - ◆ Identify landowners and contact groups using county extension offices, Wildlife Officers, Hunting and Conservation Organizations, friends and neighbors
 - ◆ Make personal contact and explain our program. If the owner is interested in the prospect of hosting a youth activity, look at the location to insure it meets our needs to support an activity. Facilities access and game availability all play a role in determining a good location.
 - ◆ Encourage conservation groups; hunt clubs, etc to become hosts. They may be a source of volunteers as well.

3. **Landowner concerns:** Most landowners are concerned about liability, damage to their property and safety. Explain our safety program to the landowner. Provide him/her with a copy of our Landowner Agreement and a copy of our liability waiver form. If the landowner still has concerns, call the CDOW Hunter Outreach Coordinator and we will make a personal call to the owner to answer any concerns.

4. **Landowners Role in the activity:** Describe a youth activity to the landowner, a one-day or more hunt plan. Go over the specific details of how the hunt will progress over the time frame you are on the property. If the landowner has specific requirements, tailor your plan to meet those

requests, if you can. Also discuss with the landowner his level of participation in the activity. Some landowners wish to be active participants, providing guides, facilities and other help. Others allow use of the property but do not wish to have an active involvement. If the landowner will agree to be present, hold a Landowner Briefing as soon after arrival at the property as possible. Encourage the landowner to participate by:

- ◆ Providing a short history of the property
- ◆ Meeting the participants (have young hunters introduce themselves and their sponsor)
- ◆ Talk about wildlife management on his/her property
- ◆ Inform the hunters about any restrictions or ranch rules

5. **Getting asked back:** Each landowner that allows us to use his or her property will receive a photo album soon after the hunt. Each book contains a thank you letter from each hunter, pictures of the hunt and a letter of appreciation from the Director of the Division of Wildlife. The construction of a book is covered later in this manual. Encourage the landowner to attend a supper meal or any time the participants are gathered at the end of the activity. If available, have the landowner come to the end of the hunt so the participants can shake hands and extend personal thanks.
6. **Huntmaster authority:** The Huntmaster should be the only person dealing with the landowner on any issues that may arise. A breach of policy, agreement or other event of a serious nature that should be brought to the attention of the landowner is the sole responsibility of the Huntmaster.

Make the Landowner feel good about the activity and they will invite us back in the future.

Liability

1. **General:** Liability concerns are always present in our life today. Too often, we fail to do things because of the concern over personal liability. In designing the Huntmaster program, we worked hard to limit the liability of the Huntmaster, volunteers and the landowner to the greatest extent possible. The reason we focus on safety, risk analysis and direct supervision of participants is to reduce the potential for any liability issues.
2. **Landowner Liability:** Often, when you contact a landowner about hosting a novice hunt on his or her property, they will very quickly turn the discussion to concerns about liability. First, there is no absolute guarantee we can provide that prevents a participant from suing a landowner. Secondly, show them the whole picture and the steps we have taken to mitigate the liability issue. Show them the Participant Waiver Form, the safety checklist, the risk assessment worksheet and describe the emphasis placed on safety by the entire Huntmaster team. If the landowner wants an absolute guarantee, thank them for their time and acknowledge there are limitations to any program. Finally, inform them that there are some provisions under Colorado State Statute called the recreational use statute that may limit their liability. Under Colorado Law, we can provide some limits to liability when we are using the property but we cannot hold them harmless under all conditions or assume their liability. If they are interested in understanding the statute, contact the Hunter Outreach Coordinator at 303-291-7248 and we can discuss this statute with them.
3. **Volunteer Liability:** The Huntmaster Certification program and the Volunteer training course you have completed provide liability and medical coverage for you while acting under the authority of the Division of Wildlife as a volunteer Huntmaster. There are two aspects of this coverage. First, as you learned in the Volunteer training, while acting as a Volunteer, within the scope of his or her duties, you are covered by secondary accident insurance administered through a separate Volunteer Insurance Program and provide coverage beyond your personal insurance. Coverage provides up to \$25,000 for medical treatment as a result of an accident, an additional \$2500 accidental death and dismemberment coverage and \$1,000,000 excess liability coverage for personal injury or liability arising from the performance of the volunteer

duties. A second type of coverage is purely liability provided by the state. The state will provide coverage for a volunteer who causes an injury which arises from an act occurring during the performance of his or her duties and within the scope of his or her volunteer assignment. "Coverage" means the state will assume the costs of the defense of any legal action against the volunteer, as well as judgements and settlements of claims against the state volunteer. Under the Colorado Governmental Immunity Act, you are provided personal protection for your acts as a volunteer who is in the proper performance of his or her volunteer duties. The state does not provide coverage for what is called "willful or wanton acts" by the volunteer. In plain language, if you intentionally and knowingly did something that you knew would injure another or was know by you to be illegal, the state would not provide coverage. As long as you follow the guidance given in the Huntmaster course and manual and are working from an approved hunt plan, you are covered by the state liability coverage.

- 4. Persons not covered under our program:** Under the Huntmaster program, there is no medical coverage provided to participants other than the Huntmasters and other DOW volunteers who are assisting in the activity. Hunters, parents and visitors are not provided with medical or liability coverage under the state program. Friends or family who are assisting a Huntmaster but have not attended a Volunteer training session or a Huntmaster certification course are not covered by state or volunteer medical or liability insurance. Such persons may assist the Huntmaster but as a minimum should attend a DOW Volunteer training session and become a registered volunteer to afford the benefits of the State and Volunteer insurance and liability coverage. **If you have persons who are assisting in your hunt that are not enrolled as a DOW Volunteer, you must clearly identify that fact in your hunt plan.**
- 5. Actions required:** If any incident occurs that could give rise to a liability claim during a DOW sponsored activity, the Huntmaster must fully investigate the incident and provide a complete Incident Report to the Hunter Outreach Coordinator within 72 hours of the incident. The Hunter Outreach Coordinator will review the report and contact the Huntmaster for additional information as required to complete state form DRM-02 or DRM-01(motor vehicle). The Huntmaster must be careful to gather all available information and list all witnesses for future contact. Additionally, the Liability Waiver forms and Health History forms for all

persons involved in the incident must be retained and delivered to the Hunter Outreach Coordinator as soon as possible. List of required forms sent to the Hunter Outreach Coordinator:

- ◆ Waiver, Release of Liability and Agreement to Indemnify and Hold Harmless
- ◆ Health History Form
- ◆ Landowner Use of Premises Agreement
- ◆ Hunt Registration Form
- ◆ Risk Management Worksheet
- ◆ Incident Report

The Huntmaster should retain a copy of each form for his or her personal records.

The Hunter Outreach Coordinator will contact you with additional information concerning the incident.

6. Points of Contact:

DOW Hunter Outreach Coordinator	303-291-7248
State Office of Risk Management	303-866-3848

Case Study: New Landowner Contact

1. Mr. Jones owns 10,000 acres of land in SE Colorado. He has heard about the Hunter Outreach program from a neighbor, Mr. Buck, who has allowed the program to hunt deer and turkey on his land in previous years. You and Mr. Buck are friends from high school and he contacts you about talking to Mr. Jones about the program. You arrange to meet with Mr. Jones at his ranch in two weeks. Prior to the meeting, you decide to do some preparation for the discussion. You find out the following information:
 - a. Mr. Jones owns 10,000 contiguous acres near Lamar Colorado
 - b. His ranch has a variety of barns and outbuilding but no lodge or permanent cooking facilities on the place.
 - c. Mr. Jones applies for Landowner Preference vouchers each year from the Division averages 5 vouchers per year.
 - d. Mr. Jones has three ranch hands that are friendly and interested in helping with youth hunting.
 - e. Mr. Jones is willing to allow access to his property at no charge for the access
2. Armed with the information above, describe the topics you wish to cover with Mr. Jones at the meeting and discuss your intended outcome from the meeting.

NOTES:

Example Landowner Contact Letter (Used on DOW Letterhead)

Dear Landowner,

Thank you for your interest in supporting the Colorado Division of Wildlife Hunter Outreach Program. We believe we have one of the best hunting outreach programs available in the nation. Our goal is to provide youth and novice hunters with a safe and educational hunting experience that will help us extend our hunting heritage in Colorado. It is our hope that these sponsored hunts will provide memorable family oriented experiences that will enhance the image of hunting and provide future generations with a positive impression of hunting as a wildlife management tool.

For the landowner, we have worked to develop a comprehensive program that can be tailored to meet your needs. Our program has a firm foundation of safety rules and policies that are strictly enforced by our Huntmasters and volunteers. As a minimum, participants must:

- Be between the ages of 9 and 17 years of age
- Have completed Hunter Education
- Have valid hunting licenses for the species hunted
- Be accompanied at all times by a parent or legal guardian
- Have signed required liability releases which include the landowner

We also provide a landowner agreement between yourself and the Hunter Outreach Program to insure both parties are familiar with the agreements prior to the hunt. This is your hunt and you may include any additional rules or policies which do not appear in the agreement or in our general policies. Feel free to include any rule that does not affect the safety, legality or ethics of the hunt.

Consider the following items concerning a Colorado Division of Wildlife Hunter Outreach sponsored hunt:

- You determine the species hunted on your property
- You determine the length of the hunt.
- If we are able to use facilities on your property, they will be thoroughly cleaned before we depart
- A typical hunt includes a review of hunting safety, game laws, wildlife identification, firearms inspection and property orientation. Usually big game hunts begin on a Friday and end Sunday afternoon. Waterfowl and small game hunts may vary in length.
- The number of participants depends on available lodging and food preparation facilities as well as the number of safe hunting areas. We coordinate all of these details well in advance of the hunt date.
- With your concurrence, we try to involve you, the landowner, local officials and local wildlife officers in the hunt if possible.

- We provide almost all of the support needed for the hunt.
- Our safety standards are stringent.
- Youth hunters handle firearms only under the direct supervision of an adult.
- Hunters are required to properly process all game for consumption.
- Vehicle traffic is kept to a minimum.
- Hunters are required to perform all camp chores and clean up the property.
- Alcohol is prohibited on any youth hunt.
- We reserve the right to remove any hunting party due to unsafe, unethical or disciplinary problems.
- We reserve the right to cancel a hunt due to unsafe conditions.
- If you desire, we will provide a letter for tax documentation reflecting the donation of the hunt.
- We need to coordinate the hunt with you as early as possible each year.
- We can assist with obtaining big game licenses for the hunt if necessary.

I have included several example forms with this letter. The forms are to give you an idea of the structure of the program and the professional standards we use when planning and conducting a hunt. The forms are for your review only. If you decide to participate in the program, one of our certified Huntmasters will contact you and schedule a meeting to begin the coordination of the hunt process.

Thank you again for interest in our program. If you have additional questions concerning how you can become a Partner in the Field with the Division of Wildlife Hunter Outreach Program, contact Jim Bulger at 303-291-7248, email at: jim.bulger@state.co.us or by mail sent to Jim Bulger, Colorado Division of Wildlife, 6060 Broadway, Denver CO 80216.

Jim Bulger
Colorado Division of Wildlife
Hunter Outreach Program

Forms Enclosed:

Program Overview
Liability Waiver
Landowner Agreement
Landowner Planning Form

Establishing New Landowner Contacts

When developing a new hunt with a new landowner, the Huntmaster must understand the steps of the process. In all areas of the state, the wildlife is managed by the Division of Wildlife. Each area has a local District Wildlife Officer, Area Wildlife Manager and a Regional Manager who are key people in the process for developing a new hunt for the Program. In some cases, we may not be able to work with certain landowners due to conflict with the Division of Wildlife for a variety of reasons and while infrequent, it is prudent to involve the local officers in the process early. The following checklist provides a sequential process for developing a new hunt with a landowner. Huntmasters are required to follow the sequence established in the checklist.

1. ____ Identify a potential landowner for program participation. You may have a general discussion with the landowner about the program to determine if there is any interest but do not make a commitment with the landowner at this time. If there is an interest by the landowner, thank them for the discussion and tell them you will contact them again after you discuss the potential with the Hunter Outreach Coordinator.

2. ____ Determine the District Wildlife Officer or Area Manager who has responsibility for the location of the hunt. You can determine the officer involved through a variety of methods.
 - a. Call the Regional or Area office and ask the Customer Service Representative to give you the name and duty phone number of the DWM in that district.
 - b. Contact the Hunter Outreach Coordinator and provide with the nearest city location, GMU involved and the name of the Landowner. The Coordinator will assist you in determining the proper officer to contact about the hunt.

3. ____ Contact the District Wildlife Officer and identify yourself as a Huntmaster. Be able to provide the following information to the DWM:
 - a. Name and location of the landowner/land.
 - b. Species of game to hunt
 - c. Brief discussion of the hunt scenario

- d. Does the DWM have any concerns with you developing a hunt with this landowner?
 - e. Would the DWM like to remain involved/informed of the hunt plans as they develop?
 - f. Do you have permission from the DWM to develop this hunt in his/her District?
4. ____ Contact the Hunter Outreach Coordinator and briefly discuss the information gathered above. Be able to provide the Coordinator with your assessment of the hunt, resources required and affirmation from the Wildlife Officer. Be able to discuss the following with the HO Coordinator:
- a. Proposed dates of the hunt
 - b. Proposed number of hunters
 - c. General equipment requirements
 - d. License requirements
 - 1. Leftover
 - 2. Land Owner Vouchers
 - 3. Youth Outreach Licenses. Note. If planning to use YOLs, there is not a guarantee the license request will be approved and the application must follow the requirements of Administrative Directive W-21.
 - 4. Approval/Concerns by the DWM or Area Manager
5. ____ After discussion with the Coordinator, if approval is provided to develop the hunt, the Huntmaster will follow the requirements stated in the body of Chapter 5.
6. ____ Out of State Hunts. As a policy, we do not conduct hunts out of the state in Colorado. Contact the Hunter Outreach Coordinator before any contact is made with out of state landowners or outfitters.

**Landowner Planning Form
Hunter Outreach Program
Colorado Division of Wildlife**

1. Landowner Name. _____
2. Address _____
City _____ State _____ Zip _____
3. Telephone _____
4. Name of Property _____
5. GMU Location _____
6. Species:
 _____ Elk
 _____ Deer
 _____ Pronghorn
 _____ Waterfowl
 _____ Turkey
 _____ Upland Birds
7. DWM Name _____
8. DWM Phone _____
9. DWM Approves _____yes _____no

Comments/Discussion: